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SW

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,883	12/20/2001	David Ian Thompson	04630/012001	4646

7590 09/16/2003

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Houston, TX 77002

EXAMINER

NGUYEN, TRINH T

ART UNIT PAPER NUMBER

3644

DATE MAILED: 09/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

SW

**Office Action Summary**

Application No.

10/028,883

Applicant(s)

THOMPSON, DAVID IAN

Examiner

Trinh T Nguyen

Art Unit

3644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 March 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2001 is/are: a) ☒ accepted <sup>and approved</sup> or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: lines 9 & 15-16 of page 6, the term "cast ab initio" is confusing and unclear.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 5: the phrase "said massive component has an upstanding formation which affords said surface which is engaged by said bearing cap" is confusing and unclear". Furthermore, it is not understood as to what the term "has an" defines and/or implies.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (as set forth on pages 1 & 2 under the heading

Description of the Prior Art; hereinafter is referred to as AAPA) in view of GB 2016094 (hereinafter is referred to as GB'094).

AAPA discloses most of the claimed invention except for the step of deforming at least two spaced portions of one of the bearing cap and the massive component into intimate contact with the other of the bearing cap and the massive component.

GB'094 teaches a method for improving the alignment of bearing parts by deforming a tapered projections/spaced portions (9, 11) of one of the bearing part (3) into intimate contact with the other of the bearing part (2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of AAPA so as to include the step of deforming at least a tapered projections/spaced portions, in a similar manner as taught in GB'094, in order to provide a more efficient method of alignment between bearing parts and thus improve the overall manufacturing process.

For claim 2, AAPA further disclose that the bearing cap and the massive component afford substantially semi-circular recesses before the bearing cap is connected to the massive component (see lines 26 & 27 of page 1 and lines 1-5 of page 2).

For claim 4, note that when the tapered projections/spaced portions of GB'094 are deformed the relative movement of the bearing parts is prevented and/or limited (see lines 64-84).

For claim 5, note that GB'094 further teaches a respective recess (the area near reference 12 in Figure 6) formed in the outer side surfaces in which a respective portion of the tapered projections/spaced portions (11) is deformed.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior in view of GB 2016094 (hereinafter is referred to as AAPA/GB'094), and further in view of Roovers (US 2,975,928).

As described above, AAPA/GB'094 disclose most of the claimed invention except for a method of securing the bearing parts as claimed in claim 6.

Roovers teaches a method of securing/joining two metal parts (1, 2) by engaging a first metal part (1), which has spaced holes (3) formed in it, with a second metal part (2), wherein the spaced portions (4) of the second metal part are deformed into spaced holes (3) of the first metal part. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the method of AAPA/GB'094 so as to include the method of securing/joining two metal parts, in a similar manner as taught in Roovers, in order to provide a more efficient method of joining between bearing parts and thus improve the overall manufacturing process.

**Conclusion**

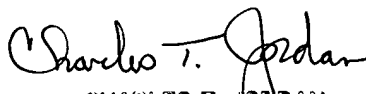
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure are cited on form PTO-892 encloses herewith.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trinh T Nguyen whose telephone number is (703) 306-9082. The examiner can normally be reached on M-F (9:30 A.M to 6:00 P.M).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Jordan can be reached on (703) 306-4159. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

ttn  
9/10/03.

  
CHARLES T. JORDAN  
SUPERVISOR, PAT. EXAMINER  
TELEPHONE NUMBER 306-4159